

### REMARKS/ARGUMENTS

The Examiner is thanked for the very thorough explanation of the scope of enablement. In response, Applicant has amended the claims to limit both the estrogens and the selected estrogen receptor modulators to those that the Examiner suggested, in the Office Action, to be properly supported. (See page 3, lines 1-4 of the Office Action.) As amended, it is urged that all of the rejections raised under 35 U.S.C. § 112 have been overcome. It is therefore urged that the rejections under 35 U.S.C. § 112 should be withdrawn.

It is also believed that the narrowing amendments set forth above in connection with the section 112 rejections overcome the prior art rejections raised under 35 U.S.C. § 103. The Examiner had previously relied upon Luo as teaching the combination of DHEA and EM-800 (which provides selective estrogen receptor modulator). As amended, however, all claims now require certain enumerated estrogens. DHEA is a mostly androgenic steroid and is not intended to be covered by the term "estrogen", let alone the specific estrogens now recited. It is urged therefore that the Examiner's rejection under 35 U.S.C. § 103 should be withdrawn.

Finally, claim 24 is listed as withdrawn, but is instead generic to the elected species. It is urged that claim 24 should be considered in connection with the next Office Action.

Issuance of a Notice of Allowance is solicited.

#### EXPRESS MAIL CERTIFICATE

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail to Addressee (mail label # EV 342536226US) in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, Alexandria, VA 22313-1450, on November 1, 2004

Dorothy Jenkins

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Signature

November 1, 2004

Date of Signature

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Respectfully submitted,



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